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# A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. Section 261-12, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3       "(a) Powers to adopt. The director of transportation may  
4 perform such acts, issue and amend such orders, adopt such  
5 reasonable general or special rules and procedures, and  
6 establish such minimum standards, consistent with this chapter,  
7 as the director deems necessary to carry out this chapter and to  
8 perform the duties assigned thereunder, all commensurate with  
9 and for the purpose of protecting and insuring the general  
10 public interest and safety, the safety of persons operating,  
11 using, or traveling in aircraft, and the safety of persons and  
12 property on land or water, and developing and promoting  
13 aeronautics in the State. ~~[No rule of the director shall apply  
14 to airports or air navigation facilities owned or operated by  
15 the United States.]~~

16       In furtherance of the duties assigned under this chapter,  
17 the director may adopt rules relating to:



- 1 (1) Safety measures, requirements and practices in or  
2 about the airport premises;
- 3 (2) The licensing and regulation of persons engaged in  
4 commercial activities in or about the airport  
5 premises;
- 6 (3) The regulation of equipment and motor vehicles  
7 operated in or about the airport operational area;
- 8 (4) Airport security measures or requirements, and  
9 designation of sterile passenger holding areas and  
10 operational areas;
- 11 (5) The regulation of motor vehicles and traffic;
- 12 (6) Any other matter relating to the health, safety and  
13 welfare of the general public and persons operating,  
14 using, or traveling in aircraft."

15 SECTION 2. Statutory material to be repealed is bracketed  
16 and stricken.

17 SECTION 3. This Act, upon its approval, shall take effect  
18 on July 1, 2015.



**Report Title:**

Aeronautics; Department of Transportation Rules; Dillingham  
Airfield

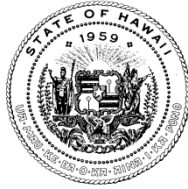
**Description:**

Clarifies the authority of the department of transportation at  
Dillingham Airfield. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is  
not legislation or evidence of legislative intent.*



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IN REPLY REFER TO:

March 18, 2015  
10:00 a.m.  
State Capitol, Room 309

**S.B.1141, S.D. 1**  
**RELATING TO TRANSPORTATION**

House Committee on Transportation

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The Department of Transportation (DOT) **strongly supports** this Administration bill, which clarifies its authority to make and enforce administrative rules at the Kawaihapai Airfield, formerly known as Dillingham airfield. The U.S. government owns Kawaihapai Airfield, and leases it to the State of Hawaii to operate as one of the fifteen airports in the state's system. The present language in Section 261-12, Hawaii Revised Statutes, needlessly affirms the supremacy of the United States government, which has led to the authority of the DOT to be challenged in court. It is of the highest public interest of the state, for the DOT to be able to manage the state's airports in a safe and responsible manner without the uncertainty that this language imposes.

Thank you for the opportunity to present this testimony.